

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE: NINE WEST LBO SECURITIES LITIGATION :
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Pertains to: *Kirschner, et al. v. McClain, et al.*, No. 20-cv-4262; : 20-MD-2941 (JSR)
Kirschner v. Cade, et al., No. 20-cv-4265; *Wilmington Savings*
Fund Society, FSB v. Cade, et al., No. 20-cv-4267; *Wilmington*
Savings Fund Society, FSB v. Georgiadis, et al., No. 20-cv-4286;
Kirschner, et al. v. Kimmel, et al., No. 20-cv-4287; *Kirschner v.*
Georgiadis, et al., No. 20-cv-4292; *Wilmington Savings Fund*
Society, FSB v. Card, et al., No. 20-cv-4335; *Kirschner v. Card,*
et al., No. 20-cv-4346; *Kirschner, et al. v. Advisors Series Trust*
(Kellner Merger Fund), et al., No. 20-cv-4433; *Kirschner v.*
Dickson, et al., No. 20-cv-4436; *Wilmington Savings Fund Society,*
FSB v. Dickson, et al., No. 20-cv-4569 :
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STIPULATION AND [PROPOSED] ORDER
DISMISSING SETTling DEFENDANTS WITH PREJUDICE

Marc S. Kirschner, as Litigation Trustee for the NWHI Litigation Trust, and Wilmington Savings Fund Society, FSB, as successor indenture trustee for the 6.875% Senior Notes due 2019, the 8.25% Senior Notes due 2019, and the 6.125% Senior Notes due 2034 of Nine West Holdings, Inc. (collectively, the “Plaintiffs”), and defendants Wesley R. Card, Gerald C. Crotty, John D. Demsey, Mary Margaret Hastings Georgiadis, Matthew H. Kamens, Sidney Kimmel, Robert L. Mettler, James A. Mitarotonda, Jeffrey D. Nuechterlein, Lowell W. Robinson, Ann Marie C. Wilkins, Christopher R. Cade, Ira M. Dansky, Richard L. Dickson, Cynthia DiPietrantonio, Joseph T. Donnalley, Tami Fersko, John T. McClain, Aida Tejero-DeColli, Barington Companies Equity Partners, L.P., Barington Companies Investors, LLC, Dianne Card, Ira Martin Dansky Revocable Trust, Robert & Susan Mettler Family Trust U/A 3/27/06, Robert L. Mettler, Susan T. Mettler, Trustees, Telendos, LLC, and The Sidney Kimmel Revocable Indenture of Trust, Jeffrey Brisman, Scott Bowman, John W. Deem, Beth B.

Dorfsman, Lynne Bernstock, Norman R. Veit, Jr., Larissa Sygida, Joseph A. Rosato, Arundhati Kulkarni, Gregory Clark, Janet Carr, Sharon Harger, and Heather Roussel (collectively, the “Settling Defendants” and, together with the Plaintiffs, the “Parties,” and each individually a “Party”), through the respective undersigned counsel of the Parties who have appeared in the above-captioned actions, for good and valuable consideration, the receipt of which is hereby acknowledged, enter into this Stipulation of Dismissal with Prejudice.

WHEREAS, each of the Settling Defendants was named as a defendant in at least one of the above-captioned actions consolidated before the Court pursuant to the United States Judicial Panel on Multidistrict Litigation’s June 2, 2020 Transfer Order (each action, with this consolidated action, the “Actions”), as listed below:

<i>Settling Defendant</i>	<i>Case Nos.</i>
Gerald C. Crotty	20-4262
Cynthia DiPietrantonio	20-4262
Tami Fersko	20-4262
John T. McClain	20-4262
Jeffrey Brisman	20-4262
Arundhati Kulkarni	20-4262
Christopher R. Cade	20-4265, 20-4267
Ira M. Dansky	20-4265, 20-4267
Ira Martin Dansky Revocable Trust	20-4265, 20-4267
Mary Margaret Hastings Georgiadis	20-4286, 20-4292
Telendos, LLC	20-4286, 20-4292
John D. Demsey	20-4287
Matthew H. Kamens	20-4287
Sidney Kimmel	20-4287
James A. Mitarotonda	20-4287
Jeffrey D. Nuechterlein	20-4287
Lowell W. Robinson	20-4287

<i>Settling Defendant</i>	<i>Case Nos.</i>
The Sidney Kimmel Revocable Indenture of Trust	20-4287
Joseph T. Donnalley	20-4287
Aida Tejero-DeColli	20-4287
Barington Companies Equity Partners, L.P	20-4287
Barington Companies Investors, LLC	20-4287
Scott Bowman	20-4287
Lynne Bernstock	20-4287
Norman R. Veit, Jr.	20-4287
Larissa Sygida	20-4287
Joseph A. Rosato	20-4287
Gregory Clark	20-4287
Janet Carr	20-4287
Sharon Harger	20-4287
Heather Roussel	20-4287
Ann Marie C. Wilkins	20-4335, 20-4346
Wesley R. Card	20-4335, 20-4346
Dianne Card	20-4335, 20-4346
Beth B. Dorfsman	20-4433
John W. Deem	20-4433
Robert L. Mettler	20-4436, 20-4569
Robert & Susan Mettler Family Trust U/A 3/27/06, Robert L. Mettler, Susan T. Mettler, Trustees	20-4436, 20-4569
Richard L. Dickson	20-4436, 20-4569

WHEREAS, pursuant to the terms, conditions, and limitations of a Settlement Agreement dated May 10, 2021, Plaintiffs have agreed to dismiss all of their claims in the Actions against each of the Settling Defendants, with prejudice, and without costs or attorneys' fees to any Party; and

WHEREAS, defendants Sharon Harger and Heather Roussel have not appeared in the Actions,

IT IS HEREBY STIPULATED AND AGREED, by and between the Parties, that pursuant to Federal Rule of Civil Procedure 41(a), Plaintiffs hereby dismiss all of their claims in the Actions, solely against each of the above-listed Settling Defendants, with prejudice, without costs or attorneys' fees to any Party.

Dated: New York, New York
June 10, 2021

[signatures on following pages]

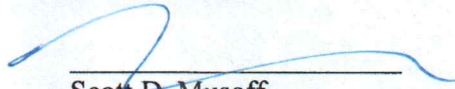
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6.875% Senior Notes due 2019, the 8.25%
Senior Notes due 2019, and the 6.125%
Senior Notes due 2034 of Nine West
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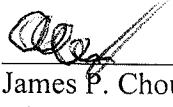
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